

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

MELISSA BIGGS,)
)
Plaintiff,)
)
v.) Civil No. 3:07-1095
) Judge Trauger
TILO MANDRY,)
INVEST IN GERMANY GmbH, and)
INVEST IN GERMANY, LTD.,)
)
Defendants.)

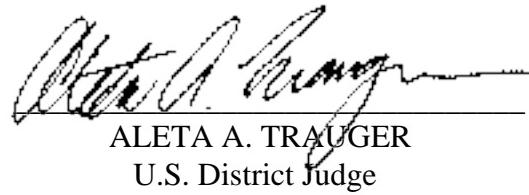
O R D E R

Pursuant to the Supplemental Brief in Response to Motions to Dismiss filed by the plaintiff on August 2, 2010 (Docket No. 52), it is hereby **ORDERED** that defendants Invest In Germany GmbH and Invest In Germany, LTD are **DISMISSED** as defendants in this case under Rule 41(a)(2), FED. R. CIV. P. The Defendant's Motion to Dismiss Complaint Pursuant to Rule 12 (Docket No. 43) is **DENIED AS MOOT**.

The only remaining defendant in this case is Tilo Mandry, on whom the plaintiff has still not served process. This case was filed on November 7, 2007, and the time limit for service of process has long passed. It is hereby **ORDERED** that, by August 16, 2010, the plaintiff shall file a motion for extension of time under Rule 4(m), FED. R. CIV. P., for an extension of time within which to serve process upon defendant Tilo Mandry, setting forth good cause for the extension of this deadline. The plaintiff is **FOREWARNED** that his failure to file this motion in a timely fashion will result in the dismissal of this case for failure to prosecute.

It is so **ORDERED**.

ENTER this 3rd day of August 2010.



Aleta A. Trauger
U.S. District Judge